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**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number
(Optional)
NREL 01-43

First Named Inventor: XIAONAN LI

International (PCT) Application No.: PCT/US02/11104

U.S. Application No.:
(if known)

Filed: April 2, 2002

Title: METHOD FOR PRODUCING HIGH CARRIER CONCENTRATION P-TYPE
TRANSPARENT CONDUCTING OXIDES

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity - fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of
Reply to Petition for Revival (identify type of reply):

☐ has been filed previously on _____

☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☐ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Paul J. White

Signature

10-14-05

Date

PAUL J. WHITE, SENIOR PATENT COUNSEL

Typed or Printed Name

30,436

Registration Number, if applicable

NATIONAL RENEWABLE ENERGY LABORATORY

Address

303/384-7575

Telephone Number

1617 COLE BLVD., GOLDEN, CO 80401

Address

- Enclosures: ☒ Response
- ☒ Fee Payment
- ☐ Terminal Disclaimer
- ☒ Other (please identify):

See enclosed Certificate of Mailing

**IN THE U.S. RECEIVING OFFICE AND
IN THE U.S. PATENT AND TRADEMARK OFFICE**

Inventor(s):	Xiaonan Li et al.)	
)	
International (PCT) Application No.:)	
	PCT/US02/11104)	
)	
Filed:	April 2, 2002)	
)	
Title:	Method for Producing High Carrier)	
	Concentration P-Type Transparent)	Atty Dkt. No.: NREL 01-43
	Conducting Oxides)	

**REPLY TO PETITION FOR REVIVAL OF INTERNATIONAL
APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED
UNINTENTIONALLY UNDER 37 CFR § 1.137(b)**

Commissioner for Patents
P.O. Box 1450
MS/PCT
Alexandria, VA 22313-1450

Attn: PCT Legal Staff

Dear Sir:

On September 27, 2005, a decision was made to Applicants' Petition to Convert a Filing Under 37 CFR 1.53(b) to 35 U.S.C. 371 filed on March 28, 2005 to dismiss Applicants' Petition. A copy of the Decision describing the details is enclosed.

The above-identified application became abandoned with respect to the United States because Applicants failed to pay the basic national fee required by 35 U.S.C. 371 (c) prior to the expiration of the 30 months date. The date of abandonment is the day after the date on which the 35 U.S.C. 371 (c) requirements were due, which was February 17, 2004. Thus, even if the September 22, 2004 submission had been a proper filing under 35 USC 371, a petition for revival would have been necessary before the national stage application could be processed. Applicants

were instructed to enter the national stage of PCT/US02/11104 by filing a national stage application with a petition under 37 CFR 1.137(b) and the appropriate petition fee.

Upon review of the Petition Decision that pointed out the abandonment of the international application and the lateness of the national filing, Applicants determined that the original priority date was incorrectly entered in Applicants' data base. As a result of the error, Applicants unintentionally failed to cover the national stage timely.

In response to the instruction of the Patent Office, Applicants submits a Petition for Revival of International Application for Patent Designating the U.S. Abandoned Unintentionally under 37 CFR 1.137(b).

WHEREFORE, Applicants request the Deputy Assistant Commissioner to revive the international patent application as originally intended under 35 USC 371, and an appropriate filing date be established.

Applicants encloses copies of the following:

- Decision on Applicants' Petition;
- Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b);
- Transmittal Letter to the U.S. Designated/Elected Office Concerning a Filing Under USC 371; and
- PCT Application Inventor Declarations included in the original filing of the PCT patent application.
- Information Disclosure Statement
- Executed Assignment + Recordation Sheet

The Deputy Assistant Commissioner is hereby authorized to charge payment of the petition fee, as required by 37 C.F.R. 1.17(f); as well as any additional fees associated with this petition or credit any overpayment to Deposit Account No. 14-0460.

If any other issues remain to be resolved, please contact Applicants' attorney at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. White". The signature is written in a cursive style with a large initial "P" and "W".

Paul J. White, Reg. No. 30,435
Attorney for Applicants

Dated: September 14, 2005.

National Renewable Energy Laboratory
1617 Cole Boulevard
Golden, CO 80401
303/384-7575